

RECEIVED  
CENTRAL FAX CENTER

FEB 06 2004

OFFICIAL

DAG:gtc 4239-60808 251660 02/04/04

## KLARQUIST SPARKMAN, LLP

16th Floor World Trade Center, 121 S.W. Salmon Street, Portland, Oregon 97204 U.S.A.

PHONE: 503-226-7391 FAX: 503-228-9446

**PLEASE DELIVER DIRECTLY TO EXAMINER MICHAEL A. BELYAVSKIY**

Fax No.: 703-872-9306

Total No. Pages: 13 including this cover sheet

**Message:** Transmitted herewith for filing in the above-identified application is a Second Amendment and Response to Final Office Action. If you do not receive all pages or if you have problems receiving transmittal, please call Debra A. Gordon, Ph.D., J.D. at (503) 226-7391. The fee (large entity) has been calculated as shown below.

In re application of: Shearer et al.

Application No. 09/936,537

Filed: September 13, 2001

Confirmation No. 7176

**For:** INDUCTION OF ANTIGEN-SPECIFIC  
UNRESPONSIVENESS BY  
GLIOBLASTOMA CULTURE  
SUPERNATANTS (GCS)

Examiner: Michail A. Belyavskiy

Art Unit: 1644

Attorney Reference No. 4239-60808

## CERTIFICATE OF FACSIMILE

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being facsimile transmitted to fax number 703-872-9306 on the date shown below.

Attorney

for Applicant(s)

Debra A. Gordon

Date Transmitted

February 4, 2004☒ No additional fee is required.☒ Please charge any fees that may be required in connection with filing of this Second Amendment and Response to Final Office Action to Deposit Account 02-4550.Debra A. Gordon

Debra A. Gordon, Ph.D., J.D.

Registration No. 54,128

February 4, 2004

Date


cc: Docketing  
Accounting

THE INFORMATION CONTAINED IN THIS TRANSMISSION IS CONFIDENTIAL AND ONLY FOR THE INTENDED RECIPIENT IDENTIFIED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION OR USE OF THIS COMMUNICATION IS UNLAWFUL. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE (COLLECT), RETURN THE ORIGINAL MESSAGE TO US, AND RETAIN NO COPY.

WDN/DAG:gte 2/4/04 251142.doc

Attorney Reference Number 4239-60808  
Application Number 09/936,537

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED  
CENTRAL FAX CENTER****Response Under 37 C.F.R. § 1.116 Expedited Procedure****FEB 06 2004****In re application of:** *Shearer et al.***Application No.** 09/936,537**Filed:** September 13, 2001**Confirmation No.** 7176**For:** INDUCTION OF ANTIGEN-SPECIFIC  
UNRESPONSIVENESS BY  
GLIOBLASTOMA CULTURE  
SUPERNATANTS (GCS)**Examiner:** Michail A. Belyavskiy**Art Unit:** 1644**Attorney Reference No.** 4239-60808COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450**CERTIFICATE OF FACSIMILE**I hereby certify that this paper and the documents referred to  
as being attached herewith are being faxed on February 4,  
2004 to 703-872-9306 addressed to: COMMISSIONER FOR  
PATENTS.  
Debra A. Gordon, Ph.D., J.D.  
Attorney for Applicants**SECOND AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION**

This Second Amendment and Response to Final Office Action ("Second Amendment") is filed in response to the Office action, dated November 4, 2003, and the Advisory Action, dated January 26, 2004. The Advisory Action stated that amendments presented in the Amendment and Response to Final Office Action, filed December 18, 2003 ("December 18, 2003 Response") were not entered. Therefore, this Second Amendment amends the claims as pending after entry of the Amendment and Response to Non-Final Office Action, filed August 25, 2003 ("August 25, 2003 Response"). A three-month period for reply was set in the November 4, 2003 Office action; thus, a response to the Advisory Action is timely filed on or before February 4, 2004. It is believed that no fees are required in connection with this filing; however, the Commissioner is authorized to charge any fees that may be required to the deposit account referenced on the accompanying transmittal letter.

Please amend the claims as set forth beginning on page 2. Remarks begin on page 7 of this Second Amendment. The Conclusion of this Second Amendment is on page 12.